
**AN ORDINANCE ESTABLISHING THE RULES, MANAGEMENT
AND OPERATION OF IMMANUEL CEMETERY AS A TOWN CEMETERY**

THE TOWN BOARD OF THE TOWN OF JACKSON, WASHINGTON COUNTY,
WISCONSIN DOES ORDAIN AS FOLLOWS:

Ordinance J-4-77-78, An Ordinance Establishing the Rules and Management and Operation of Immanuel Cemetery as a Town Cemetery is repealed.

Ordinance J-11-001 is established as follows:

Section 1. The IMMANUEL CEMETERY was acquired from Immanuel Lutheran Church, and pursuant to action of the Town Board taken April 24, 1974, and the legal description of such Cemetery is as follows:

That portion described by Certified Survey Map No. 1041 recorded in Washington County Registry on November 7, 1974, in Volume 5 of Certified Survey Maps on page 259, Document No. 358215, being part of the W1/2 of the SW ¼ of the NE1/4 of Section 28, Town 10 North, Range 20 East.

Section 2. The Town Board shall constitute the Cemetery Board, and the Town Clerk shall, ex officio, be Secretary-Treasurer of the Cemetery Board.

Section 3. The Plat of such Cemetery heretofore adopted and recorded shall continue in effect and be expanded under the provisions of Section 157.07 Wisconsin Statutes; to cover all of the undeveloped land in said Cemetery.

Section 4. The Perpetual Care Fund obtained from the Immanuel Lutheran Church, together with all income from the sale of grave sites, and additional funds directed by the Town Board for the care of the cemetery, shall be invested as provided in Chapter 881, Wisconsin Statutes, and remain under the direction of the Cemetery Board. An account separate from the Town operating fund shall be established and shall be called the “Cemetery Fund”.

Section 5. The sale price for each grave shall be determined by the Town Board and shall include perpetual care.

Section 6. Owners of grave sites shall have the right to transfer or convey such rights to members of their family but such transfer and conveyance shall not be effective until filed with the Town Clerk and authorized by the Town Board. No signs indicating a grave site is for sale will be permitted on cemetery grounds. The Town of Jackson maintains first right of refusal to purchase grave sites that are offered for sale or transfer. The Town may “buy back” the grave site for the amount initially paid by the seller.

Section 7. No change can be made to the lot grade by the purchaser. Above ground vaults, crypts or mausoleums are prohibited. A permit indicating monument size

and location must be applied for in the Town Clerk's office and approved by the Cemetery Board before a monument foundation can be constructed. Only one monument may be allowed per grave site. Monument foundations shall be constructed of concrete or similar material, be flush with the grave site ground level and must extend five (5) inches in all directions beyond the base of the monument. The foundation may not extend past the plot line, nor extend over the actual burial site. The foundation depth must be no less than forty-two (42) inches deep for monuments less than or equal to five (5) feet in height. Monuments exceeding five (5) feet in height will require Cemetery Board review and approval before the foundation permit application can be submitted. The minimum distance between the monument (marker) and the plot line shall be ten (10) inches. Flowers may be planted within twenty (20) inches of the monument foundation. No trees or shrubs may be planted on lots. Fences, hedges, enclosures and corner posts on lots are prohibited. Decorative objects such as wooden boxes, wire containers, glass jars, bottles, cans and other objects may not be placed on lots. Statuary and other seasonal decoration must be secured to the area within twenty (20) inches of the monument foundation and must be maintained in acceptable condition. Seasonal decorations must be removed in a reasonable period of time by the person(s) who placed the decorations on the grave site. All rubbish must be taken out of the cemetery by the parties who originally brought the items to the grave site. The Town reserves the right to remove any items it deems offensive or exhausted at its discretion.

Section 8. Burial of cremated remains by family or others shall be permitted after submitting a permit application and fee to the town Clerk. A grave opening fee will apply. Multiple burials of cremated remains on one gravesite shall be permitted. The location of the individual burials on the gravesite shall be recorded with the Town Clerk. Only one headstone per gravesite may be permitted for such multiple burials. Maximum multiple burials shall be two on half-size plots and four on full-size plots; or four cremations with a conventional burial, provided the conventional burial has been completed first. Cremation containers must be at least eighteen inches below ground level (or surface).

Section 9. Permit application to open a grave shall be made to the Town Clerk and such opening shall be in the manner prescribed by the Town Board in order to protect the adjacent lots. A fee for opening the grave shall be set by the Town Board.

Section 10. The excavation shall only be made by qualified persons who are approved by the Town Board.

Section 11. The Cemetery Fund shall be used to provide for regular care and extraordinary expenses of the Cemetery. The Town Board may, from time to time, request electors at the Town Meeting, after notice in the manner provided in Section 60.13, Wisconsin Statutes, to levy a special tax to provide funds for the improvement of the Cemetery, as required by Section 157.05 (5) Wisconsin Statutes.

Section 12. Operation of private vehicles on cemetery grounds is prohibited.

Section 13. All conveyances of platted lots or grave sites shall be in accordance with Section 157.08 Wisconsin Statutes, and the same shall be signed by the Town Chairman and Town Clerk.

Section 14. The Town Board may employ a part-time sexton who shall be responsible for the supervision and care of the Cemetery and hours of employment and compensation shall be fixed annually by the Town Board.

Section 15. This ordinance shall take effect the day after proof of posting the same in three (3) public places in the Town has been filed and recorded with the Town Clerk.

Passed and adopted by the Town of Jackson, Washington County, Wisconsin this ____ the day of _____, 2011.

Town Chairman

Town Supervisor

Town Supervisor

Town Supervisor

Town Supervisor

Attest:

Julia Oliver, Town Clerk

Adopted _____

Posted _____

Proof of posting filed and recorded _____